

CHAPTER NO. 767

SENATE BILL NO. 2963

**By Cooper, Herron, Mr. Speaker Wilder, Burks, Cohen, Bowers, Black,
Tracy, Kilby, Crutchfield, Kurita, Finney**

Substituted for: House Bill No. 3236

**By Marrero, Pruitt, Buck, Fraley, Armstrong, Langster, Sherry Jones,
Sontany, Hensley, Favors,
Bo Watson, Moore, Hackworth, Litz, Sargent, Davis, Maddox, Towns,
Rowe, John Deberry, Miller, Eldridge, Cooper, Maggart, Coleman, West,
Bone, Campfield, Crider, Swafford, Hill, Brown, Ferguson, Lois DeBerry,
Windle**

AN ACT to amend Tennessee Code Annotated, Section 4-3-2011, relative to an organ and tissue donor registry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-2011(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) (1) The organ procurement agencies, as defined in Tennessee Code Annotated, Section 68-30-102(7), serving Tennessee may create and maintain an electronic registry of Tennesseans who have given consent to be organ and tissue donors. On a weekly basis, the Department of Safety shall transmit to such electronic registry the following information on those individuals who have given consent to be organ and tissue donors:

(A) True full name;

(B) Residence or mailing address;

(C) Date of birth; and

(D) Tennessee driver license number.

The information obtained by the organ procurement agencies for the purposes of this subdivision (a)(1) shall be used for these purposes only and shall not be disseminated further by the organ procurement agencies.

(2) The department shall offer each applicant for issuance or renewal of a driver license the opportunity for each applicant to give consent to be an organ and tissue donor. Each applicant shall be offered the opportunity to give consent by responding

affirmatively to the following statement: "Yes, I want to be an organ and tissue donor".


(3) The department shall advise each applicant by making available the brochure referenced in subdivision (4) or otherwise, that the applicant is under no compulsion to consent to be an organ and tissue donor. An individual who responds affirmatively to the consent statement gives full legal consent to donate the organs or tissue of such individual upon death. An individual may give or withdraw consent by any means provided by law including, but not limited to, notifying the registry in writing or by electronic access to the registry.

(4) A brochure shall be made available to each applicant explaining the execution of a document of gift for organ and tissue donation, including the consent statement referenced in subdivision (a)(2) of this act. The brochure may be made available by electronic means. Such brochure shall be provided to the department free of charge by the organ procurement agencies.

SECTION 2. This act shall become effective upon becoming a law except that subdivision (a)(2) shall become effective at such time as the Department of Safety finds it necessary to reprint driver license application forms, the public welfare requiring it.

PASSED: May 11, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 26th day of May 2006


PHIL BREDESEN, GOVERNOR